



State of Washington  
**PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112  
Toll Free 1-877-601-2828 • E-mail: [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)

1:00 p.m.  
March 24 and March 25, 2004

**MINUTES – SPECIAL MEETING**

Evergreen Plaza Bldg. Room 206  
711 Capitol Way South  
Olympia, Washington

**COMMISSION MEMBERS PRESENT**

Earl Tilly, Chair  
Michael Connelly, Vice Chair  
Francis Martin, Secretary  
Jeannette Wood, Member

**STAFF PRESENT**

Susan Harris, Assistant Director  
Michael Smith, Chief Technology Officer  
Nancy Krier, Senior Counsel  
Linda Dalton, Sr. Asst. Attorney General  
Ruthann Bryant, Secretary

The special meeting of the Public Disclosure Commission was called to order by Commission Chair Earl Tilly at 1:00 p.m. in the Evergreen Plaza Building, Room 206, Olympia, Washington.

**Commissioner Comments**

Commissioner Connelly briefly discussed the process for the evaluation of the Executive Director.

**Citizen Comments/Concerns**

No citizen comments or concerns were expressed.

**Minutes**

**Motion 04-079**

Moved by Commissioner Martin, seconded by Commissioner Connelly:

**The Commission adopts the minutes  
of February 24, 2004, as written.**

The motion passed unanimously.

### Rule Making

Susan Harris summarized potential rulemaking:

- Amend WAC 390-17-030 Sample ballots and slate cards
- Amend WAC 390-37-041 Enforcement procedures – Allegations submitted to the attorney general's office and/or prosecuting attorneys
- Amend WAC 390-37-030 Enforcement Procedures – Status of citizen complainant and others
- Amend WAC 390-18-030 Political advertising – Exemptions from identification

The Commission expressed concern regarding electronic billboards.

- Amend WAC 390-16-207 In-kind contributions – Explanation and reporting
- New WAC 390-05-295 Definition – Promise or promise to pay
- Amend WAC 390-16-238 Personal use of contributions – Standard

### **Motion 04-080**

Moved by Commissioner Connelly, seconded by Commissioner Martin:

**The Commission authorized staff to move forward with the rule-making process for WAC 390-17-030, WAC 390-37-030, WAC 390-37-041, WAC 390-18-030, WAC 390-16-207, WAC 390-05-295 and WAC 390-16-238.**

The motion passed unanimously.

### Reporting Modifications

Renewal (with changes)

*Connie Niva, Regent, Washington State University*

Phil Stutzman reported that Ms. Niva requests that last year's modification, granted when she was a member of the Transportation Commission, apply to her new position.

**Motion 04-081**

Moved by Commissioner Connelly, seconded by Commissioner Martin:

**The Commission grants Connie Niva a reporting modification as requested.**

**The Commission finds that literal application would cause a manifestly unreasonable hardship on the applicant and that a limited modification would not frustrate the purposes of the act.**

The motion passed unanimously.

Renewals (no change)

The Commission considered the renewals with no change reporting modification requests en masse.

**Motion 04-082**

Moved by Commissioner Connelly, seconded by Commissioner Martin:

**The Commission grants Kenneth Alhadeff, Bruce Dammeier, Joseph Delay, Dan Grausz, Richard Hartman, Michael Kelley, Sr., David Lamb, Isabelle Lamb, Karen Lane, Dean Lum, Kristine Mikkelsen, Arch Miller, Linda Owings-Rosenburgh, Erin Sheridan, Mark Thompson, Nancy Whitten and Betty Woods the reporting modifications as requested.**

**The Commission finds that literal application would cause a manifestly unreasonable hardship on the applicant and that a limited modification would not frustrate the purposes of the act.**

The motion passed unanimously.

Staff Reports

Assistant Director	Susan Harris reported that the budget is on target and discussed recent staff changes.
Chief Technology Officer	Michael Smith summarized the progress made on the ORCA project, noting that testing is scheduled to begin at the end of May.
Senior Counsel	<p>Nancy Krier briefly updated the status of current litigation and noted that the petition for review to the Supreme Court in the PDC v. WEA case is scheduled for May 27<sup>th</sup> at 1:30 p.m.</p> <p>Doug Ellis and Kyle Gubbe provided a preview of the Campaign Finance Training Video currently under production. Mr. Ellis also demonstrated the compact disk being developed for candidates. He added that the disk contains all of the necessary manuals, brochures and forms and will greatly reduce the cost of printing and postage.</p>

Enforcement Matters

Hearings:

*WA State Nurses Association PAC,  
Case #04-420*

Phil Stutzman read the Stipulation of Facts, Violations and Penalty into the record in the case against the WA State Nurses Association PAC for alleged violations of RCW 42.17.080 and .090 by failing to timely file monetary contribution reports for contributions received between January 1, 1999 and December 31, 2003 and by failing to timely file summary reports of contributions and expenditures for the same period.

Elizabeth Ford, Chief Counsel, and Judith Huntington, Executive Director, were present and thanked the Commission for the opportunity to address them. Ms. Huntington apologized and stated that it was an unfortunate series of miscommunications. She assured the Commission that steps have been put into action to ensure that this would not happen again.

**Motion 04-083**

Moved by Commissioner Connelly, seconded by Commissioner Martin:

**In PDC Case #04-420, WA State Nurses Association PAC, the Commission accepts the Stipulation of Facts, Violations and Penalty of \$5,000 with \$2,500 suspended based on no future violations of RCW 42.17 for four years.**

The motion passed unanimously.

*Grays Harbor County Democratic  
Central Committee, Case #04-421*

Phil Stutzman read the Stipulation of Facts, Violations and Penalty into the record in the case against the Grays Harbor County Democratic Central Committee for alleged violations of RCW 42.17.080 and .090 by failing to timely file monetary contribution reports for contributions received between January 1, 1999 and September 30, 2003 and by failing to timely file summary reports of contributions and expenditures for activities between January 1, 1999 and October 27, 2003.

Shirley Wilcox, Chair, introduced Vini Samuel, former Chair, and assured the Commission that this would not reoccur. She noted that the PDC reports would be presented monthly at meetings and a draft amendment to the by-laws has been developed to formalize this process.

**Motion 04-084**

Moved by Commissioner Martin, seconded by Commissioner Connelly:

**In PDC Case #04-421, Grays Harbor County Democratic Central Committee, the Commission accepts the Stipulation of Facts, Violations and Penalty of \$5,000 with \$2,500 suspended based on no future violations of RCW 42.17 for four years.**

The motion passed unanimously.

Executive Session

The Commission went into executive session at 3:15 p.m. to discuss pending and potential litigation with legal counsel.

Public Session/Recess

The Commission returned to public session at approximately 3:25 p.m. and Commissioner Tilly recessed until 9:00 a.m. on Thursday, March 25, 2004.

Reconvene

The Commission returned from recess at 9:00 a.m.

Strategic Planning

The Commission members and management staff devoted two and a half hours to revising the agency's strategic plan. The planning session, facilitated by Senior Assistant Attorney General Linda Moran, focused on examining the Commission's mission and vision statements and modifying the goals, objectives, strengths, weakness, opportunities and challenges.

Adjournment

Commissioner Tilly adjourned the meeting at 11:30 a.m. The next meeting is scheduled for Tuesday, April 27, 2004.

Approved by the Commission 5/26/04